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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday, 17 December 1974

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2. [REDACTED] Talked to Mike Finley, House Foreign Affairs Committee staff, and Staff Assistant to Chairman Dante B. Fascell (D., Fla.), Subcommittee on Inter-American Affairs, in response to his question earlier in the week concerning the three cases in recent months of arrest and detention of American citizens where no notification of the arrest was given to the American embassy. We have no evidence to indicate any pattern in such cases and it would appear that an explanation is not available for failure of proper notification. No further action is indicated.

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3. [REDACTED] Talked to William Skidmore, OMB, and alerted him to the passage of [REDACTED] this afternoon. Skidmore will contact this office directly when the Enrolled Bill is received from the House.

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5. [REDACTED] Talked briefly by telephone to Chairman Lucien N. Nedzi (D., Mich.), Intelligence Subcommittee, House Armed Services Committee, on the [REDACTED] matter and told him that Mr. Cary would be by during the afternoon to brief him in detail.

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6. [REDACTED] Talked to Marian Clow, Secretary to Representative Hamilton Fish, Jr. (R., N.Y.), and scheduled a briefing on the Soviet Union for 3:00 P.M., Wednesday, 18 November. Representative Fish is travelling to the Soviet Union during the recess. [REDACTED] PCI, has been advised.

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7. [REDACTED] Called Frank Reeder, OMB, regarding S. 3418 and discussed the possibility of including our floor statement expressing concern as to the broad authority of the study commission in statements before both the House and Senate. We agreed it would be better to confine ourselves to only the House floor statement. I later called Steve Daniels, House Government Operations Committee staff, and he confirmed that Representative William S. Moorhead's (D., Pa.) floor statement will contain a comment expressing concern that the study commission established under the bill does not impair statutory responsibility of the Director to protect intelligence sources and methods.

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8. [REDACTED] Spoke with [REDACTED] NSC staff, concerning the Foreign Assistance Act and it was his feeling that everything was moving so fast that it may not be productive for the Director, at this time, to send a letter to the President on section 27 and that they have the material we previously sent over. [REDACTED] said he will let us know if anything further is needed.

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9. [REDACTED] Called Bill Esponisa, OGC/AID, to confirm that the conferees had adopted the House version of the intelligence activities provision of the Foreign Assistance Act but that the conference report included language that strict measures should be taken to insure maximum security of the information submitted to the Congress pursuant to this provision.

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10. [REDACTED] Called Guy McConnell, Professional Staff Member, Senate Appropriations Committee, to advise him of the outcome of the conferees on the Foreign Assistance Act which is due for vote by the Senate this afternoon.

I also advised him of the inquiry of John Anderson, GAO, for budget and personnel figures. McConnell said we could refer Anderson to him for confirmation of the congressional guidelines limiting such information to the oversight committees.

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11. [REDACTED] Called Col. Clinton Granger, NSC staff, to advise him of the outcome of the conferees on the Foreign Assistance Act and he indicated he was aware of the outcome and that now is the time to send a letter to the President outlining the problem.

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12. [REDACTED] Jack Hamilton, in the office of Representative Michael Harrington (D., Mass.), called to find out the status of the Agency's intelligence sources and methods legislation including whether he might be able to get a comment from the Justice Department which I said was always possible but I thought improper since the measure was still involved in the Executive Branch coordination process. I referred him to the Director's and Department of Justice representatives testimony on the bill before the Intelligence Subcommittee, House Armed Services Committee on 22 July 1974.

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I also told Hamilton that I could not be of any help to him on the query he had posed [REDACTED] he understood that these are the types of matters we report only to our oversight committees.

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13. [REDACTED] Sam Goldberg, State Department, called and gave me a short wrapup of the Foreign Assistance Act and in connection with my expression of concern that we had not carried the day in limiting the committees entitled to sensitive intelligence information, he said there might be a way to minimize the problem and suggested we talk it over in the near future.

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14. [] Called Clark McFadden, General Counsel, Senate Armed Services Committee, and advised him of the outcome of the conference report on S. 3394, and he acknowledged he had gotten our material and said that Senator John C. Stennis (D., Miss.) was standing by to change his vote and possibly those of others if it would have done any good, but the margin of 49 to 41 foreclosed this opportunity.

15. [] Spoke with Dorothy Cornegay, on the staff of Senator Edmund S. Muskie's (D., Me.) Intergovernmental Relations Subcommittee, Senate Government Operations Committee, and asked her if it would be possible for the Agency to "ride the jacket" when the hearings held 9-10 December on intelligence oversight are published. She said the estimated publication date was mid-February and told me she would call to give us the jacket number at that time.

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17. [] I talked with Clark McFadden, General Counsel, Senate Armed Services Committee, and brought him up-to-date on the action of the conferees on the House/Senate versions of provisions in the Foreign Assistance Act relating to intelligence activities. I said that despite all of our efforts the Senate conferees had receded and accepted the House version. I also informed McFadden of our interest in the privacy legislation which is coming up for a vote on the Senate floor. I told him that the House and Senate committees had provided us with the exemptions that we felt we needed from this legislation and asked that McFadden be alert to the possibility of floor amendments which might destroy our exemptions. He thanked me for calling and said he would be on the lookout.

McFadden also said that Seymour Herish had been "running around yesterday" trying to see the Chairman about a big story on CIA. I told him that we had gotten rumblings on this from a number of sources including contacts to the Director who had indicated to Herish that he would not discuss Agency activities with him.

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GEORGE L. CARY
Legislative Counsel

cc: O/DDCI Ex. Sec. []
Mr. Thuermer Mr. Warner Mr. Lehman Mr. Clarke